

RUSS et al.
Application No. 09/889,350
October 28, 2004

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested. Currently, claims 1-28 are pending in this application.

Request for Return of Form PTO-1449:

An Information Disclosure Statement (IDS) with Form PTO-1449 was filed in the present application on September 14, 2001. As of the present date, however, an initialed and dated Form PTO-1449 has not been returned to Applicant. For the Examiner's convenience, Applicant has attached hereto a fresh copy of the Form PTO-1449.

Additionally, Applicant has attached hereto another IDS citing U.S. Patent No. 6,148,311.

Rejection Under 35 U.S.C. §103:

Claims 1-22 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Arora et al (U.S. '145, hereinafter "Arora") in view of Hanson et al (U.S. '736, hereinafter "Hanson"). Applicant respectfully traverses this rejection.

In order to establish a prima facie case of obviousness, all of the claimed limitations must be taught or suggested by the prior art. Applicant submits that the combination of Arora and Hanson fails to teach or suggest all of the claimed limitations. For example, the combination fails to teach or suggest an operating system provided with a viewer that provides a visual display of a hierarchical

structure of files and an indication of file content as required by independent claim 1 and its dependents. Independent claims 18, 19 and 22 require similar limitations.

Arora discloses a hierarchical structure editor for web sites. However, the editor does not utilize a viewer provided with the operating system for providing a visual display of the operating system's hierarchical structure of files and an indication of its file content. The disclosure of Arora relates to a bespoke viewer and database which together form an application program which overlays the operating system. This teaching in Arora is similar to the acknowledged prior art (see page 2, line 6 to page 3, line 6 of the present specification). The application program sits on the layer "above" the operating system and will thus be provided as a separate package for loading unto the computer. As a bespoke application, users will initially be unfamiliar with its interface and operation. Users will therefore require some training in order to use it.

Instead of using a bespoke application overlaying the operating system, the present invention relates to using a viewer which is provided with the operating system. The viewer is thus at the same level as the operating system. Indeed, the operating system and viewer will almost certainly be pre-installed on the computer at the time of purchase. In practice, users will therefore be familiar with the operation of operating system viewer since it is regularly used for standard file management tasks. A person with little knowledge of HTML, or of specialized

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HTML editors can thus produce a web site by establishing a hierarchical file structure using the familiar operating system viewer. These advantages provided by the present invention are described, for example, at page 3, lines 26-33 of the specification.

Accordingly, Arora fails to teach or suggest all of the claimed limitations of claim 1. Hanson fails to remedy these deficiencies of Arora. Accordingly, even if Hanson and Arora were combined as proposed by the Office Action, the combination would not have taught or suggested all of the claimed limitations.

Accordingly, Applicant respectfully submits that claims 1-22 are not "obvious" over Arora and Hanson and respectfully requests that the rejection of these claims under 35 U.S.C. §103 be withdrawn.

New Claims:

New claims 23-28 have been added to provide additional protection for the invention. Independent claim 23 requires, *inter alia*, "providing a visual display of the hierarchical structure and an indication of file content with a viewer that is provided with the operating system." Independent claim 24 requires, *inter alia*, "an operating system for configuring files in a hierarchical structure, the operating system being provided with a viewer that provides a visual display of the hierarchical structure and an indication of file content." Applicant submits that claims 23-28 are allowable.

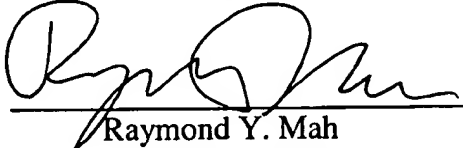
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Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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